

## Annexure EDR - 76

---

**From:** Warwick Soden  
**Sent:** Wednesday, 20 February 2019 4:49 PM  
**To:**  
**Cc:**  
**Subject:** Fwd: Rohan Luke Muscat proposed appointment as a Registrar with proposed consequential delegated powers.

Dear

See below for your information. Copied to to get me to sign the appointment tomorrow.

Warwick

Sent from my iPhone

Begin forwarded message:

**From:** Warwick Soden < >  
**Date:** 20 February 2019 at 4:47:49 pm AEDT  
**To:** Sia Lagos < au>  
**Subject:** Re: Rohan Luke Muscat proposed appointment as a Registrar with proposed consequential delegated powers.

Dear Sia

Thanks for going to the time to make me feel comfortable about the controls that will be applied to the delegation of lower level work initially. I will now make the formal appointments on that assumption.

Warwick

Sent from my iPhone

On 20 Feb 2019, at 4:39 pm, Sia Lagos < > wrote:

### UNCLASSIFIED

Dear Warwick

I have spoken with David Pringle about this issue, as he currently has key responsibility for the implementation of the "registrar piece" and has worked very closely with Rohan over the past 6-9 months. We agree that registrars should only undertake registrar work that they are appropriately skilled in and trained to undertake. However, we feel that the most effective way to proceed is, rather than limit the delegation itself, to expose National Registrars (as opposed to Judicial Registrars) to categories of work progressively.

You will recall that a key part of the implementation plan is to ensure that the work undertaken by registrars is carried out at the appropriate level. The intention is, for National Registrars such as Rohan, to undertake limited work only once trained and accredited (in addition to their NOR Team responsibilities). Such work would initially include - bills of costs, eCourtroom substituted service applications and smaller FCC mediations (including Fair Work small claims matters). By National Registrars carrying this work out, it will allow greater availability for Judicial

Registrars to carry out more complex work and support judges in mediation and case management. Of course, throughout their training, national registrars will be closely supervised and in the case of Rohan that supervisor will be undertaken by David Pringle. In the circumstances, and to avoid the need for multiple delegations, I suggest that we proceed (as we have for other such registrars to date) on the basis that the full delegation is provided, but Rohan's exposure to that work is carefully and progressively managed by David Pringle.

As to Rohan's skills and capabilities, David has assured me that he is a highly capable registrar and will have no difficulty dealing with the straightforward categories of registrar work. David has confirmed that Rohan has excelled in the judicial and registrar allocation support work, legal research, case management and mediation support work, including liaison with the profession and parties. Rohan has also played a key part in supporting the policy and practice work done by the NOR, including development of practice material. You will note from Rohan's CV that he also comes with considerable initial training in mediation, and we have no doubt that, once accredited, he will skilfully conduct less complex mediations, as needed.

Please do not hesitate to contact me or David if you would like to discuss any of these issues further.

Kind regards

Sia

Sia Lagos |  
Principal Judicial Registrar & National Operations Registrar |  
Federal Court of Australia |  
p. 03 e. | [www.fedcourt.gov.au](http://www.fedcourt.gov.au)

From: Warwick Soden < >  
Sent: Thursday, 14 February 2019 3:46 PM  
To: Sia Lagos < [au](mailto:au)>  
Subject: Rohan Luke Muscat proposed appointment as a Registrar with proposed consequential delegated powers.

## UNCLASSIFIED

Dear Sia

When signing proposed appointment of Registrars I usually look at their CVs, experience and qualifications for appointment.

When looking at Rohan's qualifications I note that he was admitted as a lawyer of the Supreme Court of NSW on 8 February 2019.

While I have no difficulty with the proposed appointment of Registrar, I do question the apparent assumption (as usually occurs) for the automatic delegation of all powers of the Court that could be delegated to a Registrar when the person was so recently admitted. Should we not think about a limited delegation for the time being as I assume you would not be suggesting that Rohan preside in court in the near future?

Happy to discuss.

Warwick